

Message Text

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ACTION SS-25

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P R 191201 Z JUN 73

FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC PRIORITY 4628

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AMEMBASSY SAIGON

CDR JCRC NKP

USDEL JEC PARIS

S E C R E T VIENTIANE 4473

EXDIS

E. O. 11652: GDS

TAGS: MOPS, PFOR, LA

SUBJECT: MIA' S IN LAOS

REF: VIENTIANE 4439

1. AS REF INDICATES, DURING JUNE 18 MEETING, I ALSO ASKED PHENG PHONGSAVAN WHETHER PROTOCOL UNDER NEGOTIATION ALSO ADDRESSES ITSELF TO PW/ MIA QUESTION. PHENG REPLIED THAT THIS SUBJECT WAS NOT ON AGENDA FOR DISCUSSION. I STRONGLY URGED PHENG TO NEGOTIATE FOR PROTOCOL WHICH GUARANTEES IMPLEMENTATION OF BROAD PRINCIPLES ON EXCHANGE OF PWS AND SEARCH FOR MIA' S SET FORTH ORIGINALLY IN ARTICLE 5 OF VIENTIANE AGREEMENT. I SHOWED PHENG FRENCH TRANSLATION OF ARTICLE 8 OF JUNE 14 KISSINGER-THO COMMUNIQUE, WHICH I SAID REFLECTED IMPORTANCE BOTH USG AND DRG ATTACHED TO THIS SUBJECT. I ALSO GAVE PHENG ANOTHER COPY OF FRENCH TEXT OF OUR SUGGESTION FOR WHAT SHOULD BE COVERED IN PROTOCOL ON MIA' S. (DEPARTMENT WILL RECALL THAT, AT PHENG' S REQUEST, WE PROVIDED HIM WITH A SUGGESTED DRAFT FOR AN ENTIRE PROTOCOL IN MARCH, INCLUDING A SPECIFIC ARTICLE ON PWS/ MIAS. IT WAS THAT SECTION WHICH I GAVE PHENG AGAIN ON JUNE 18. FOR PRECISE WORDING, SEE ARTICLE 5 OF VIENTIANE 1938 DATED MARCH 16,

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1973.) I WENT OVER LINE BY LINE WITH PHENG OUR PROPOSAL ON MIA' S AND HE PROMISED TO USE PART OF IT IN HIS DISCUSSIONS WITH PHOUMI. I PARTICULARLY STRESSED THE MIA ISSUE, SINCE PHOUMI HAD CLAIMED THAT ALL PW' S HAD BEEN RETURNED EXCEPT FOR CONTRACT AIR PILOT EMMET KAY WHO WAS CAPTURED LAST MONTH.

2. PHENG SAID THAT PHOUMI REALIZES THAT WHEN HE RAISES PW/ MIA' S, HE IS DOING IT ON BEHALF OF AMERICANS BECAUSE LAO DO NOT ATTACH SAME IMPORTANCE AS USG TO RELEASE OF PRISONERS AND SEARCH FOR THOSE MISSING IN ACTION. NEVERTHELESS HE PROMISED TO GIVE IT A TRY.

3. COMMENT: I PREFERRED TO INTRODUCE OUR CONCERN FOR MIA' S THROUGH RLG RATHER THAN BY DIRECT DISCUSSIONS WITH LPF AS SUGGESTED STATE 117946 (NOTAL) BECAUSE I QUESTION TIMELINESS OF DIRECT USG- LPF CONTACT AT THIS PARTICULAR MOMENT IN THE NEGOTIATIONS. PHOUMI HAS ALWAYS USED PREVIOUS MEETINGS WITH USG REPRESENTATIVES AS LEVERAGE TO GET USG TO INFLUENCE RLG TO ACCEPT LPF TERMS ON NEGOTIATIONS. PHOUMI ARGUED THAT QUICKEST WAY FOR USG TO RECEIVE INFORMATION ON MIA' S WAS TO HELP BRING RLG- LPF POLITICAL- MILITARY NEGOTIATIONS TO FRUITION. I HAVE NO REASON TO BELIEVE THAT PHOUMI WOULD TAKE A DIFFERENT STANCE AT THIS TIME WERE I TO SEE HIM DIRECTLY. FURTHERMORE, SEEING PHOUMI AT THIS TIME MIGHT RAISE RLG SUSPICION OF USG GOING BEHIND ITS BACK IN THE MIDST OF SERIOUS NEGOTIATIONS AND EXPOSE US TO CRITICISM IN THE EVENT NEGOTIATIONS FAIL. EVERY TIME I HAVE SEEN PHOUMI VONGVICHIT, LPF RADIO HAS EXPLOITED MEETING BY MENTIONING IT OR DISTORTING PURPOSE OF MY CALL. I THEREFORE BELIEVE THAT AT THIS STAGE WE SHOULD FIRST WORK THROUGH RLG IN GETTING SOME COMMITMENT FROM LPF TO RESOLUTION OF MIA QUESTION.

4. I SHOULD ADD THAT ARRANGEMENTS FOR JCRC TO VISIT US CRASH SITES IN AREAS UNDER COMMUNIST CONTROL COULD ONLY BE NEGOTIATED BY US AND NOT BY RLG. I BELIEVE HOWEVER THAT ONCE RLG- LPF NEGOTIATIONS HAVE BEEN BROUGHT TO FRUITION AND PROTOCOL REAFFIRMS COMMITMENT OF BOTH SIDES TO SEARCH FOR MIA' S, THEN WE WILL BE IN BETTER

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POSITION TO WORK OUT ARRANGEMENTS THROUGH RLG OR DIRECTLY WITH LPF FOR VISITS TO CRASH SITES AS WELL AS OTHER ARRANGEMENTS WE CONSIDER DESIRABLE IN RESOLVING THIS IMPORTANT QUESTION.

5. IF THERE ARE FACTORS I AM NOT AWARE OF WHICH HAVE DIRECT BEARING ON OUR NEGOTIATING TACTIC, I WOULD

APPRECIATE BEING INFORMED AS SOON AS POSSIBLE SO THAT
I CAN ACT WHILE NEGOTIATIONS ARE STILL IN THE PRELIMINARY
STAGE.
DEAN

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